

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:)	In Chapter 11
)	Case No. 09 B 44643
BOSTON BLACKIES MANAGEMENT,)	Honorable Jack B. Schmetterer
COMPANY, INC., et al.,)	
)	Motion Date: December 15, 2009
Debtors and Debtors-In-Possession)	Hearing Time: 11:30 a.m.

NOTICE OF MOTION

To: See attached service list

PLEASE TAKE NOTICE THAT on December 15, 2009, at the hour of 11:30 a.m., a **MOTION TO EMPLOY COUNSEL FOR THE DEBTORS**, shall be heard by the Honorable Jack B. Schmetterer of the United States Bankruptcy Court for the Northern District of Illinois, Eastern Division, in Room 682 at 219 South Dearborn Street, Chicago, Illinois 60604. A copy of same is attached hereto and thereby served upon you. You may appear if you so see fit.

QUERREY & HARROW, LTD.

AFFIDAVIT OF SERVICE

I, Eileen M. Sethna, an attorney certify that I caused the foregoing Notice of Motion to be served upon the persons named in the attached service list by mailing copies of the same to them and depositing it in the U.S. Mail at 175 West Jackson Boulevard, Chicago, Illinois at 4:00 p.m. December 1, 2009, with proper postage prepaid.

/s/Eileen M. Sethna

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c/o McMahan & Signick Ltd.
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Chicago, IL 60607
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Fox River Commons Shopping Center
c/o The DiMucci Companies
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Boston Blackies Properties II, LLC
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Fax: 312-627-0250

10/120 S. Riverside Property, LLC
c/o Behringer Harvard REIT I, Inc.
Richard H. Needham, G.M.
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BLC LLC/Ciena Capital LLC
PO Box 26507
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Fax: 312-645-1976

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Lake Cook Plaza Assoc., Ltd., Ptr.
c/o Lake Cook Plaza, LLC
Mosaic Prop & Devl
555 Skokie Blvd., Suite 204
Northbrook, IL 60062
Fax: 847-498-5977

United Investors, Inc
5948 N Broadway
Chicago, IL 60660
Fax: 773-989-7213

Caro Insurance
16520 106th Ct
Orland Park, IL 60467
Fax: 708-675-1203

Economy Packing Co., Inc.
939 W. Fullerton St
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Fax: 312-421-2667

Kurt Krueger
c/o Joseph A. Baldi & Donna B. Wallace
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Bank of America
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**IN THE UNITED STATES BANKRUPTCY COURT
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In re:) **In Chapter 11**
) **Case No. 09 B 44643**
BOSTON BLACKIES MANAGEMENT,) **Honorable Jack B. Schmetterer**
COMPANY, INC., et al.,)
) **Motion Date: December 15, 2009**
Debtors and Debtors-In-Possession) **Hearing Time: 11:30 a.m.**

MOTION TO EMPLOY COUNSEL FOR THE DEBTORS

Debtors, Boston Blackies Management, Inc., (“Debtors”¹), moves this Court for entry of an order approving the employment of Robert R. Benjamin, Beverly A. Berneman, and Eileen M. Sethna of QUERREY & HARROW, LTD., as counsel for the Debtors and respectfully represents to the Court as follows:

1. On November 24, 2009, Debtors filed voluntary cases under Chapter 11 of Title 11 of the United States Code (“Bankruptcy Code”).
2. That pursuant to an Order entered on December 1, 2009, the following cases are to be jointly administered, with the above captioned lead case *In re: Boston Blackies Management Company, Inc.*, Case No. 09-44643:

Boston Blackies of Riverside Plaza, Inc.	09-44646
Boston Blackies of Lake Cook Plaza, Inc.	09-44649
Boston Blackies of Winnetka, Inc.	09-44652
Boston Blackies of Arlington Heights, LLC	09-44654
Boston Blackies of Naperville, LLC	09-44655
Boston Blackies of 164 East Grand, Inc.	09-44658
Boston Blackies Management Company, Inc.	09-44643

3. Debtors operate a restaurant featuring American style food. Debtors are part of a restaurant chain that operates in the Chicagoland area.

¹ “Debtors” refers to the Jointly Administered Debtors – identified in paragraph 2 above.

4. The Debtors' restaurant chain is primarily owned by various members of a family who are well known in the area for operating quality restaurants.

5. Pursuant to Section §327(a) of the Bankruptcy Code, the Debtors, with Court approval, may employ attorneys, accountants, appraisers, auctioneers or other professional persons, all of whom must be disinterested.

6. That pursuant to an Attorney Retention Agreement the Debtors retained the services of Querrey & Harrow, Ltd. ("QH") and consented to a referral fee of 1/3 of any retainers paid as compensation for the law firm of Sandman, Levy, Petrich ("SLP") for origination services, expediting communications with the Debtors, for negotiations with secured creditors and trouble shooting problems as they arise.²

7. The firm of QUERREY & HARROW, LTD. is not owed any money by the estate nor does it have any interest adverse to the interests of this estate or any class of creditors or equity security holders and is considered a disinterested person under the Bankruptcy Code and accordingly qualified to serve as counsel pursuant to Section §327 of the Bankruptcy Code.

8. The professional services to be rendered by the above named law firm can generally be described as follows:

- (a) To render legal advice with respect to the powers and duties of the Debtor;
- (b) To prepare all necessary pleadings, orders and reports with respect to this proceeding (and or its joint administration with related cases) and to render all other legal services as may be necessary proper therein; and
- (c) To do the necessary legal work regarding approval of the disclosure statement and plan.

9. Section §327(a) of the Bankruptcy Code provides that, subject to Court approval, the compensation of any professional person may be on any reasonable terms and conditions including

² Affidavits of Counsel are attached as exhibit in support of the allegations contained in this motion.

on a retainer, hourly basis or contingent fee arrangement. The Debtors believe that the above described counsel should be paid their normal hourly rate.

10. The law firm of QUERREY & HARROW, LTD. is experienced bankruptcy counsel and through its retention the Debtor in Possession will be able to proceed expeditiously and effectively in this Court to the benefit of all parties in interest members of the firm of QUERREY & HARROW, LTD. have represented an average of six Chapter 11 debtors per year over the last twenty years. The firm's members have brought approximately 80% of those debtors to a confirmed plan. In support of this motion, Debtor attaches hereto the affidavits of Robert R. Benjamin, Beverly A. Berneman, and Eileen M. Sethna of QUERREY & HARROW, LTD.

WHEREFORE, Debtors pray that an order be entered that:

A. It is authorized as of November 24, 2009 to employ Robert R. Benjamin, Beverly A. Berneman, and Eileen M. Sethna of the law firm QUERREY & HARROW, LTD. as counsel for the each respective Debtor in the jointly administered proceedings;

B. This Court find the above-described counsel qualified to serve as counsel for the Debtors in Possession pursuant to Section §327 of the Bankruptcy Code and that said counsel are disinterested within the definition of that term under Section §101(13)(E) of said Code;

C. Counsel shall be entitled to file applications with this Court for compensation based on services rendered by said counsel in accordance with their usual and customary hourly rates; and

D. For such other and further relief as this Court deems just and proper.

BOSTON BLACKIES MANAGEMENT COMPANY, INC.

/s/ Eileen M. Sethna

Eileen M. Sethna, One of its attorneys

Robert R. Benjamin, (ARDC 0170429)
Beverly A. Berneman (ARDC 6189418)
Eileen M. Sethna (ARDC 6276640)
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